Case 18-20027-JAD Doc 26 Filed 02/07/18 Entered 02/07/18 11:37:48 Desc Main

IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re:	:		
ASHLEY GRUSZEWSKI,	: :	Bankruptcy No.	18-20027-JAD
Debtor(s),	: :	Chapter	<u>13</u>
	X		
ASHLEY GRUSZEWSKI,	:		
	:		
76	:		
Movants	:		
- vs -	:	Related to Doc. # 12	
	:		
McKEESPORT AREA SCHOOL DISTRICT	:		
AND BOROUGH OF DRAVOSBURG,	:		
	:		
Respondents	:		
	X		

ORDER SETTING (A) DISCOVERY DEADLINES AND OTHER RELATED DATES AND (B) EVIDENTIARY HEARING/TRIAL ON MOTION TO EXTEND THE AUTOMATIC STAY

AND NOW, this <u>7th</u> day of <u>February</u>, <u>2018</u>, after hearing on the *Expedited Motion To Extend*The Automatic Stay having been made upon defendant(s) and a responsive pleading(s) to the same having been filed, the Court **HEREBY ORDERS** that:

1. An evidentiary hearing/trial is scheduled for <u>June 12, 2018</u>, at <u>10:00 AM</u> in <u>Courtroom D, 54th Floor, U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA</u>

15219. Only two (2) hours of time has been set aside for this matter. The parties are encouraged to present direct testimony by way of affidavit if possible. To the extent a party elects to introduce direct testimony by way of affidavit or unsworn declaration pursuant to 28 U.S.C. § 1746, the parties are to confer prior to the scheduled trial date and resolve any and all evidentiary objections with respect to any affidavit or declaration to be submitted to the Court at trial. To the extent a party desires to cross-examine any witness testifying by way of affidavit or

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- Discovery on this matter shall commence immediately, and shall close <u>May 14</u>,
 2018.
- 3. At least fourteen (14) days prior to the evidentiary hearing set forth above, each party shall file proposed exhibits and hand deliver a courtesy copy of the same to the Court for use by the Court at the hearing. Such exhibits shall be pre-marked and shall be placed in a binder for ease of use at trial. At least fourteen (14) days prior to the trial date set forth above, and to the extent expert testimony is to be offered at trial, each party shall file their respective expert reports (including appraisals).
- 4. The parties shall meet and confer to discuss resolution of the case and simultaneously review and agree upon all other documents to be offered by each party, without objection at the evidentiary hearing. At least fourteen (14) days prior to the evidentiary hearing, counsel to the movant shall prepare and file a Stipulation signed by all counsel of record identifying and referencing the agreed upon, marked exhibits to be offered at the evidentiary hearing, or alternatively, that no exhibits are to be used at the hearing, whichever the case may be. Included in the Stipulation shall be a statement detailing the extent, dates, times and narrative description of cooperation demonstrated by each party in preparing the Stipulation.
- 5. To the extent the parties agree to present their case upon stipulated facts and without live testimony, all or in part, the Stipulation to be filed and referred to in paragraph 4 above, shall also set forth all of the agreed upon facts to be relied upon by the Court in rendering its decision.
- 6. At least fourteen (14) days prior to the trial date, the parties shall file electronically

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with the Court, and serve on the other party, pre-trial memoranda which (a)

 $identifies\ the\ material\ facts\ which\ are\ not\ in\ dispute,\ (b)\ identifies\ the\ material\ facts$

which the party intends to prove, (c) identifies and calculates the ultimate claim for

relief (including claims and/or claims for damages) or any defenses thereto, and (d)

identifies and discusses applicable legal authority upon which such party relies

upon with respect to their respective claim for relief or defense.

7. To the extent the identity of any party is a shorthand name of a corporate entity,

the parties are also directed to meet and confer to determine the proper name and

identity of the party in this matter, and, if necessary, file a stipulation correcting

the caption of this adversary proceeding or contested matter with the Court at least

fourteen (14) days prior to the evidentiary hearing scheduled above.

8. The failure of any party to comply with the terms of this Order may result in the

imposition of sanctions on said party, including without limitation, prohibition

against such party from offering testimony at the evidentiary hearing and/or the

entry of judgment against the offending party.

JEFFERÝ A. DELLER

United States Bankruptcy Judge

jsf

CASE ADMINISTRATOR TO MAIL:

Date: February 7, 2018

Debtor Robert O Lampl, Esq Amanda L. Mulhern, Esq. Ronda Winnecour, Esq. - Chapter 13 Trustee Office of the United States Trustee

> FILED 2/7/18 11:28 am CLERK U.S. BANKRUPTCY COURT - WDPA